

rom th	e NATİONAL	PRELIMINARY EXAM	MINING AUTHORITY		`	DOT	
То:						PCT	
Morga 1111	an, Lewis Pennsylv Sington D	R, Erich, E., III et al. & Bockius, LLP ania Avenue, N.W. .C. 20004 D'AMERIQUE	MAR 1 9 2834 MORGAN, LENIC & BOULE) Ļ JSLLP		RITTEN OPINION (PCT Rule 66)	
			N.C. ICH III, DEVINE	Date of mailing (day/month/ye		08.03.2004	
Applic 5773	Applicant's or agent's file reference 57734-5005WO				E	within 3 month(s) from the above date of mailin	ıg
Interna	International application No. PCT/US 03/17300 International filing date (co. 03.06.2003)					Priority date (day/month/year) 05.06.2002	
Intern	International Patent Classification (IPC) or both national classification and IPC B01D57/02						
Applio THE	ant TEXAS A	\&M UNIVERSITY S	SYSTEM et al.				
3.	This opini I	on contains indications Basis of the opinion Priority Non-establishment of Lack of unity of inve Reasoned statemen citations and explan Certain documents Certain defects in the Certain observation icant is hereby invited See the time limit indice request this Authority By submitting a writter For the form and the limit for an additional opportunity of the examiner's observed an informal committee.	of opinion with regard to rention It under Rule 66.2(a)(ii) wations supporting such sticited it international applications on the international applications on the international application of the applicant reply, accompanied, where anguage of the amendments ortunity to submit amendment unlication with the examiner	novelty, inventiatement Doc Cas n Due blication Acti By_ may, before the fule 66.2(d). e appropriate, b s, see Rules 66 nts, see Rule 66. ints, see Rule 66.	relty, inventive step and industrial applicability regard to novelty, inventive step or industrial applicability; ement Docketed 3-12-04 Attorney EEV Case 57734-5005(0) Due Date 6-8-04 ation Action Docketed Docketed October Due By Chk October Step or industrial applicability; case 57734-5005(0) Due Date 66.8 October Due By Chk October Step or industrial applicability; case 57734-5005(0) Chk October Step or industrial applicability; case 7784-5005(0) case 57734-5005(0) case 5		
4.	If no reply is filed, the international preliminary examination report will be established on the basis of this opinion. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 05.10.2004						
Nar	ne and mail	ing address of the Interna	ational	Authorized			O 100ES MIDNAY
pre	liminary exa	mining authority:		Degen, N	√ I		11 8



European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 Formalities officer (Incl. extension of time limits)

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WRITTEN OPINION

l.	Basis	of	the	opinion
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1. With regard to the **elements** of the international application (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"):

	Descr	ription, Pages	
	1-24		as originally filed
	Claim	ns, Numbers	•
	1-35		as originally filed
	Draw	rings, Sheets	and the state of t
	1/9-9/		as originally filed
2.	landi	iade in Willon the inter-	e, all the elements marked above were available or furnished to this Authority in the national application was filed, unless otherwise indicated under this item.
		- I-monto wore avail	able or furnished to this Authority in the following language: , which is:
		the language of a trans the language of public the language of a trans Rule 55.2 and/or 55.3)	slation furnished for the purposes of the international search (under Aule 23.1(6)). ation of the international application (under Rule 48.3(b)). slation furnished for the purposes of international preliminary examination (under
3	inter	national preliminary ex	tide and/or amino acid sequence disclosed in the international application, the kamination was carried out on the basis of the sequence listing:
		contained in the interr	national application in written form.
		filed together with the	international application in computer readable form.
		furnished subsequent	ly to this Authority in written form.
A A computer readable forms		furnished subsequent	e subsequently furnished written sequence listing does not go beyond the disclosure
		The statement that the in the international ap-	e subsequently furnished written sequence name a oplication as filed has been furnished.
		listing has been turns	
	4. The	e amendments have re	esulted in the cancellation of:
		the description,	pages:
		the claims,	Nos.:
		the drawings,	sheets:
	5. 🗆	This opinion has been been considered to	en established as if (some of) the amendments had not been made, since they have go beyond the disclosure as filed (Rule 70.2(c)).
	6. Ad	Iditional observations,	if necessary:

WRITTEN OPINION

- V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- 1. Statement

Novelty (N)

Claims

1-35: yes

Inventive step (IS)

Claims

1-35: yes

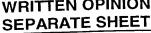
Industrial applicability (IA)

Claims

1-35: yes

2. Citations and explanations

see separate sheet



- The following documents were cited in the international search report: 1.
 - D1: US 2002/043465 A1 (RYLATT DENNIS BRIAN ET AL) 18 April 2002 (2002-04-18)
 - D2: US-A-4 243 507 (MARTIN ARCHER J P ET AL) 6 January 1981 (1981-01-
 - D3: EP-A-0 369 945 (ALIGENA AG) 23 May 1990 (1990-05-23)
 - D4: RIGHETTI P G ET AL: 'Protein purification in multicompartment electrolyzers with isoelectric membranes' JOURNAL OF CHROMATOGRAPHY B: BIOMEDICAL SCIENCES & APPLICATIONS, ELSEVIER SCIENCE PUBLISHERS, NL, vol. 699, no. 1-2, 10 October 1997 (1997-10-10), pages 105-115, XP004094992 ISSN: 1570-0232
 - D5: US 2002/060154 A1 (VIGH GYULA) 23 May 2002 (2002-05-23)
- Independent claim 1 meets the criteria set out in articles 35(2)-(4) PCT, because 2. the prior art does not teach or fairly suggest such a method for separating an ampholytic component by electrophoresis.
 - The teaching of prior art is generally the separation of ampholytes at their pl. Here the ampholytic component is separated in an non-isoelectric state (article 33(2) PCT).
- The advantage over known isoelectric state separations is the velocity of the 2.2 separation (article 33(3) PCT).
- Dependent claims 2-35 concern particular embodiments of the subject-matter of 3. above independent claim 1, and therefore, they fulfil the requirements of Articles 33(2) - (4) PCT as well.